

**TOWN OF FREDERICK  
ATTORNEY STATUS REPORT  
AUGUST 3, 2010**

**LITIGATION**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
SMT - Yardley Annexation	5/15/07	Mandate issued, remanded to District Court, Dist Ct awarded partial fees, Motion to Amend due by 8/09/10
Erie – Yardley Annexation	5/15/07	Decision issued, Erie filed Writ of Cert with Sup Ct, Opposition Brief due 8/17/10
Oil and gas inspection fees	2007	KP Kaufman billed for 2009, all others in process for billing in June.
VanDeventer (Net Lease)	10/07	On hold.
KP Kaufman Declaratory Action, re: oil/gas inspection fees	4/26/2010	Initial disclosures filed 7/12, preparing Mot for Prot Order, preparing COGCC discovery.
Bickle/3762 Imperial 3762 Imperial St # B Injunction (CO/Bldg Permit)	6/4/2010	Answer of landowner filed, pursuing Motion to Disclose regarding defenses, preparing disclosures/discovery

**DEVELOPMENT MATTERS**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
Carbon Valley Rec Rezone/Amnd	2009	Pending, draft MOAPI prep'd
Fred West Replat Blk 5	2008	Inactive
Hinkle Farm Filing 1	2007	Pending, awaiting new fence data
Miner's Village Final Plat/FDP	1/23/08	Withdrawn
Wyndham Hill Prelim Plat/PUD Amnd	4/1/08	Inactive
Wyndham Hill Filing 4 replat	4/1/08	Delayed
Wyndham Hill Zoning Amendment 3	4/1/08	Delayed
Wyndham Hill PIF Agm't Renewal	05/2010	Pending, BOT discussion on 7/13, negotiating
Meadowlark Business Filing 3		Withdrawn
Raspberry Hill LOC replacement	2009	Canceled
Raspberry Hill MOAPI reversion	7/2010	BOT approved 7/27, awaiting recording
Episcopal Church SubAmend	2009	Pending, Plat resubmitted 6/11
Verizon @ Elmore Spelts	2009	Pending
Rinn Villy Park Improvements	2008	Pending, awaiting Dev'r response on options to avoid default
Halleck Subdivision Replat/Rd Eng	2009	Pending, awaiting Halleck; sign'tr
Coalridge Subdivision	2010	Road escrow, awaiting finished rds
Frederick Village Mktplace Site Plan	2010	Pending
WJMG Bldg Site Plan	2009	Pending, awaiting mylar signatures

# **LICENSES, FRANCHISES, AGREEMENTS, CONTRACTS AND ORDINANCES**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
Longmont IGA	2008	In process
Comcast 1 <sup>st</sup> Amend to Franc. Agm't	3/2009	Pending
NATA membership	2009	Pending
Fence Permit/Review Resolution	2009	Delayed, per BOT direction 6/9/09
Firestone IGA	2009	In process
United Power Agreement	2009	UP response rec'd, In process
Medical Marijuana Regulation	2009	Under new Moratorium until 12/07/2010, adopted 5/25
Medical Marijuana Bus Lic	2009	Under new Moratorium until 12/07/2010, adopted 5/25
New Consolidated Lwr Bldr Res/Ditch Co Agreement	2009	Pending, reviewing offer from counsel for Res/Ditch Co.
St Vrain Vally School Dist Bell Agr'mt	2009	In process. Resent to the District
EnCana Rinn Villy Outlot D wells	05/2010	Pending, draft SUA in process, COGCC awaiting Town waiver

# **OTHER LEGAL MATTERS**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
St Vrain San/Tri-Area Properties	2007	Chart of easements prepared. SVSD will be contacted
Countryside HOA Tracts E, M, N	2008	In process re: division of watering to HOA and maint of park to Town
Kerr McGee App's for Hauck Wells	2008	Letter sent to Kerr McGee
Fred Rec Area/Milavec-Nobel	2009	Pending, Noble declined offer to participate in improvement costs
Orphan Rd Annex/Exclusion MVFPD	2010	MVFPD ok'd, awaiting ct order
Machii-Ross new well applications to COGCC, and non-compliance w/ FMC	4/27/2010	Awaiting response from State to notice from Town

# **GENERAL ADVICE ITEMS**

<b>Item/Topic</b>	<b>Date Initiated</b>	<b>Status/Date Completed</b>
3762 Imperial St # C Bldg Permit	2/18/2010	Bldg permit submitted by LL (not original tenant), permit abandoned
O'Conner shed encroachment	6/2010	Red Neck Trailer abating
McDonald/Transwest conditional use	7/2010	Removing trailers, no application

# **ITEMS COMPLETED (2010)**

Home Rule	2009	Completed
US Engineering metal building campus- Bldg waiver	3/2009	Completed
O/S Master Plan-GOC Co Grant	2009	Before BOT 1/12/2010
Fred Rec Area-DOW Grant	2009	Before BOT 1/12/2010
Godding Hollow Metro IGA	2009	Before BOT 1/12/2010
Res. on medical marijuana moratorium	2010	BOT approval 2/23/2010
Bldg Appeal Board	2010	Completed
Town Admin K renewal	2010	Completed
Fred Planning Area Boundaries	2010	BOT approval 2/09/2010
Designation-Comp Plan as 3-Mi plan	2010	BOT approval 2/09/2010
O/S Master Plan-GOC Co Grant	2009	BOT approval 1/12/2010
St. Vrain/Tri Area San Dist Annex	2009	BOT approval 2/23/2010
St. Vrain/Tri Area San Dist Zoning	2009	BOT approval 2/23/2010
St. Vrain/Tri Area San Dist Minor Sub	2009	BOT approval 2/23/2010
Miner's Village WCR 13 ROW	2010	Vac'n/Ded'n approved 3/2010
Waste Connection 2010 Renewal	2009	Completed
Ordinance on Water Shut-off/Billing	2009	Completed
Civil Resources Lease Renewal	2009	Completed
Ordinance to amend Fire Code	2010	Completed
Ordinance on Fee Collection Remedies-Muni Code Revision	2010	Revised per BOT direction 3/23/2010
318 4 <sup>th</sup> Street FED	4/14/2010	Possession awarded 5/17/10
PD physical fitness exam waiver and guidelines	4/15/2010	Completed
Small Vendor/Indep Contractor Agr'mt	2010	Completed
Miner's Village Minor/Subdiv Amend	2009	Completed 5/2010
St Vrain Valley School District IGA	2009	Completed 5/2010
Census worker requesting utility information	5/28/10	Request denied without fed authority, no follow up
Avocet Subdiv.	2008	MOAPI recorded 2010
Salud Family Health Site Plan Amend.	1/08/09	Complete
EnCana-Sullivan oil/gas wells	2009	Complete
Tops/Shrek SubAmend	2009	Complete
Tri-State Subdiv Amend	2009	Complete
Yardley Tank Battery Separators	2009	Complete